App. F IX-4

Previous References
Jud 65-38 sl 55, 62, 80, 86.

Reserve

1938.
(Jud)

Jud File No. 65-38
Serial Nos. 110, 111
& 127

Letter References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos three

/

Part B for July 1939

SUBJECT.

Free grant of site to the Maharashtra Mandali and the Brahmo Samaj, in Gandhi Nagar, Bangalore city

To the Jud Commissioner, Bangalore city, Major Mathews

No L 29 dy 18th July 1939

WD 0295—GPB—22,500—13-6-37

Stresses that Govt. see no good grounds for the — and that the institutions have to pay reasonable prices

No 2/14/7/39

6026

General and Revenue Secretariat — File No 65 of 1939 — [App F III-2

Serial No.

From the Md Commr, Bgl
No AG Dis 580/38-39 Bg 5th 39
Requests sanction to the free grant of site No 4 in Gandhinagar, measuring 772 sq yards to Brahmo Samaj for the construction of a building for the location of the Samaj on certain conditions
The estimated cost of the land proposed to be given to the Samaj is about Rs 6,176/- at Rs 8/- per sq yard which is the present market value as stated by the Md Commr.
Whether the Govt can afford to forego the amount at its present State of finances is a point for consideration
Submitted for orders
11/5 3) The proceedings of the Municipal Council on the subject are for perusal, and the resolution of the Municipal Council to grant of the two sites Nos 4 and 5 in Gandhinagar for the construction of buildings free of cost to locate the Brahmo Samaj and the Maharashtra Mandal is for perusal and consideration whether valuable sites could be given away free, and why an upset price should not be fixed on them for orders
(Sd) L S)
8/15/39

SECY LOCAL SELF GOVT
15 MAY 1939
GOVT OF MYSORE.

NOTE—Contn. Sheet.

6026 V6506

Ind File No. 65 of 1938-39 General and Revenue Secretariat.

Serial No.

TYPING SECTION
17 MAY 1939
GEN & REV SECTT.

4) The records give the particulars, including the applications for which may be called for

From 17.5.39 P. 17/5

5) Forwarded with a draft letter for approval

17.5 for 6) Issued 17/5

To the Commr, Poona, Div. 111
No. L 9217 Dt. 19-5-39.

Requesting him to forward the records of the applications received praying for the grant of poles.

From the Commr, Poona, Div. 127
No. 46-D/432/36-37 Dt. 3-6-39.

Forwarding the records relating to the grant of poles in favour of the Maharashtra Mandali & (2) the Brahmo Samaj in Bombay along with their applications called for orders with reference to para 4 ante.

16/6 for Law Lerry) 2/9/61

Law Lerry) 20/6

There are no grounds to grant the poles to the Brahmo Samaj or the Maharashtra Mandali. They have to pay reasonable prices

OFFICE OF THE SECOND MEMBER OF COUNCIL.
21 JUNE 1939
No. 2366

2nd Member 21.6 27/6/39 21/6/39 27/6/39

6506
I

General and Revenue Secretariat — File No 65 of 1938. [App F III-2

Serial No.	
10	sub'd with draft letter for approval 24/6/-

To the Secretary Board of Revenue
No L 29 dt 1-7-39
states that Govt see no reason for granting sites free to Institutions & that they have to pay reasonable price

NOTE—Contn. Sheet.

6026
L
ml 65-38-110

BANGALORE CITY MUNICIPALITY.

MUNICIPAL OFFICES,

No. M.D. 580/38-39. Bangalore, 6th May 1939

From

S. NARAYANA RAO, ESQ., M A (HONS.),
MUNICIPAL COMMISSIONER,
Bangalore City

To

P.H. Krishna Rao, Esq., M.A.,
The Secretary to the Government of
His Highness the Maharaja of Mysore,
Local Self-Government Department,
Bangalore

Sir,

SUBJECT:- Grant of a site to Brahmo Samaj in Gandhi Nagar.

I have the honour to state that the President, Brahmo Samaj applied for the grant of site Nos. 4 & 5 in Gandhi Nagar, free of cost for the construction of a building for the location of the Samaj. - The subject was placed before the City Improvement Committee and they at their meeting held on 16th November 1938 resolved to grant site No. 4 in Gandhi-Nagar measuring 772 Sq. yards -- subject to the conditions noted in the margin. The grant has also been approved by the Municipal Council at their meeting held on 7th January 1939 with an amendment that the construction of the building should be taken up within one year from the date of grant failing -- which the land would be resumed to the Municipality without any claim for compensation.

a) The grant will be free of cost.
b) The Association shall put up building, the cost of which will not be less than Rs. 20,000/-
c) The plan and layout of the building shall be subject to the approval of the Municipality and Mr. Krumbiegal.
d) The plot, together with the building that may be put up thereon shall be used for the bonafide purposes of the Association and the premises at their use will not be alienated in any manner.
e) The Municipality will have the power of resumption of the plot without any claim for compensation for deviation of the purpose of the grant and for breach of conditions therein.
f) The grant shall be registered

I enclose herein copies of resolutions of the City Improvement Committee and the Municipal Council together with a copy of the plan for favour of information and sanction of the Government to the above

Proceedings of the Ordinary General Meeting of the City Municipal Council, Bangalore, held on Saturday the 7th January 39 at 2 P M in the Council Chamber of the City Municipal Offices, Bangalore

--o&o--

Present

N B lakrishnaiya, B , B A , LL B ,
Honorary President

Messrs	Messrs,
1 A Venkataswamy	13 C M. Garudachar, B A ,
2 , H Hanumanthappa	14 P Subbaramachetty
3 Vaidyaraj D Rameswara Sa	15 M Krishnaswamy Pillai
4 Ramalal Thiwari	16 P I Rama Sarma
5 K I . Naganna	17 S K Venkatarangaiengar, B A LL
6 I A Purushothama Naidu	18 H R. Narasimha Iyengar
7 J Venkataramanappa	19 S L. Mannaji Rao
8 B L Byanna	20 O S Nasarulla Sheriff, A , LL
9 M Muniswamy	21 B. Abdur Rahmon, B ,
10 C N Narasinga Rao, B A , B L.,	22 Mirza Azizulla Beig
11 K Shamaraja Iyengar, B.A ,	23 M. Royan, M J ,
12 K Gubbiah, B A , LL B ,	24 V Chickayellappa

Absent

1 I Belur Srinivasiengar, B A , LL B
2. A T. Bhashyamiengar, B.A , B L ,
3 Mr S N H R avi
4 ' B.S. Shankarappasetty
5. Sri R. Kalyanamma

—

Subject No I.

(Deferred Subject No 24 of 7th December 1938,

—

Opinion of the City Improvement Committee dated 16th November 38 in the matter of grant of sites in Gandhi Nagar to Brahmo Samaj and - Maharastra Mandali, subject to certain conditions

(proceedings overleaf)

[redacted] The market value of the land may be taken to be about
Rs. 4/- per sq. yard.

I have the honour to be,
Sir,
Your most obedient servant,

[redacted]

Municipal Commissioner.

Proceedings of the Ordinary General Meeting of the City Municipal Council, Bangalore, held on Saturday the 7th January 39 at 2 P M in the Council Chamber of the City Municipal Offices, Bangalore

--o&o--

Present

N. Balakrishnaiya, Esq., B A ,LL B ,
Honorary President.

Messrs	Messrs,
1. A Venkataswamy	13 C M. Garudachar, B A ,
2 " H Hanumanthappa	14 P Subbaramachetty
3 Vaidyaraj D Rameswara Sa	15 M. Krishnaswamy Pillai
4 Ramalal Thiwari	16 P " Rama Sarma
5 K M. Naganna	17 S K Venkatarangaiengar,B A LL
6 I K Purushothama Naidu	18 M R. Narasimha Iyengar
7 J Venkataramanappa	19 S L. Mannaji Rao
8 B L Byanna	20 O S Nasarulla Sheriff,M A ,LL
9 M Muniswamy	21 B. Abdur Rahmon, B A ,
10 C N Narasinga Rao, B A ,B L.,	22 Mirza Azizulla Beig
11 K Shamaraja Iyengar, B A ,	23 M. Royan, M B ,
12 K Gubbiah, B A , LL B ,	24 V Chickayellappa

Absent

1 I Belur Srinivasiengar,B A ,LL B
2. A T. Bhashyamiengar, B.A ,B L ,
3 Mr S N H R Zvi
4 " B.S. Shankarappasetty
5. Sri R. Lalyanamma

—

Subject No I

(Deferred Subject No. 24 of 7th December 1938,

—

Opinion of the City Improvement Committee dated 16th November 38 in the matter of grant of sites in Gandhi Nagar to Brahmo Samaj and - Maharastra Mandali, subject to certain conditions

(proceedings overleaf)

Subject No. 1-

Mr.W.H. Hanumanthappa speaking on the subject observed that there were two subjects in one and that the question of grant of land to Brahmo Samaj may be taken up separately from the question of grant of land to Maharastra Mandali. The President replied that the subjects are taken up together as the areas of sites Nos. 4 and 5 have to be re-adjusted as implied in the C.I.C. resolution; and if the areas are agreed upon there is no other impediment for separate consideration.

Mr. W.H. Hanumanthappa proposed that the site proposed to be given to the Brahmo Samaj may be given to the Samaj subject to the conditions attached thereto by the City Improvement Committee.

Mr. M. Krishnaswami Pillay seconded the above.

Mr. K. Shamaraja Iyengar supporting it said that in many cases of grant of land, the land would be left vacant for a number of years without any building being built upon it and so proposed an amendment that the condition 'that the construction of the building should be taken up within one year from the date of grant, failing which the land would be resumed to the Municipality' should be inserted along with other conditions of the City Improvement Committee and this was seconded by Mr. Mirza Azeezulla Beig and accepted by Mr. W.H. Hanumanthappa.

At this stage, Mr. I.K. Purushothama Naidu raised a point of order that 'as the Council did not delegate to C.I.C. this duty, the opinion given by them cannot be considered in accordance with Sec. 31 of the Municipal Regulation.' While moving his point of order, Mr. I.K. Purushothama Naidu observed that the City Improvement Committee is one of the Committees constituted under Sec. 31 of the Municipal Regulation and this Committee has certain powers delegated to it, and this delegation of powers is of two kinds, General and Special. General delegation of powers means powers given to the Committee on the basis of bye-laws framed for the constitution of the Committee and Special delegation is delegation that is sanctioned by the Council as and when necessity arises.

Now the subject on hand is the grant of land free to an institution and this power is not one of the powers delegated under any bye-laws to this Committee and hence, it is not general, and to be special, it has to be sanctioned by Council, which has not been done till now. In these circumstances, the President's action in referring the question to the City Improvement Committee without bringing it before the Council is uncalled for and so the opinion of the City Improvement Committee cannot be considered.

Mr. C.M. Narasinga Rao observed that what the President had done was only to refer this subject to the City Improvement Committee, so that its opinion may be placed before the Council for disposal and as such this was no delegation as delation always means that a matter is referred to final disposal.

The President gave the following ruling:

"A similar point was raised by Mr. I.K. Purushothama Naidu in connection with Subject No. 24 on the agenda for the last month and the President has made a statement that the City Improvement Committee can give its opinion on such matters under the functions delegated by the Council. The subject was referred to the City Improvement Committee for opinion to aid the disposal by the Council. It is no delegation for the final disposal of the subject without reference to the Council, as Mr. I.K. Purushotham Naidu suggests. The point of order is ruled out."

Then the proposition of Mr. M.H. Hanumanthappa as amended by Mr. K. Dhamaraja Iyengar was put to vote and carried, 11 voting for and 1 Against.

Mr. R. Venkataswami then moved that the remaining portion of land of sites Nos. 4 and 5, may be given to the Maharastra Mandali subject to the conditions laid down by the City Improvement Committee and Mr. M. Krishnaswami Pillay seconded it.

Mr. K. Dhamaraja Iyengar moved that the condition 'that the building should be commenced within one year from the date of grant, failing which the land will be resumed ' may be added on to the conditions, and this was accepted by Mr. R. Venkataswami.

Mr. K.A. Nagappa opposed the subject stating that the principle of granting free sites to communal organisations would result in loss to the Municipality and consequent taxation on the rate-payers unnecessarily,

owing to lack of funds.

Mr. C.M. Narasinga Rao said that if the principle of free grant from all communities which will render the position of the Municipality very precarious.

Mr. K. Shamaraja Iyengar stated that the principle of not granting sites to communal organisations may not be made general and each application should be considered on its own merits.

Mr. T.K. Purushotham Naidu said that the Municipality has been very generous of late, they have to become more businesslike, — especially in view of the fact that the finances are in a deplorable condition. If the principle of granting sites to communal organisations is laid down it will be awefully difficult to wipe it away and if sites are to be granted to all the communal organisations, the present area of municipal limits which is said to be 17 Sq. miles will have to be extended to 70 Sq. miles, if the request of Maharastra Mandali is to be granted, the Catholic Association, the Mohammedan Association and other associations will put in their requests.

Messrs. P.M. Rama Sarma, B.L. Byrappa, M.N. Narasimha Iyengar all opposed the free grant to the Mandali on the ground that if land is given free to such institutions, then other communal institutions will ask for lands which the Municipality cannot give, that the land now proposed to be given free is very costly, costing nearly Rs 7 to 8 thousands rupees, that the Maharastra community consisted of very rich persons who could afford to pay and take the land and that it is better if some upset price is fixed for the land. They also observed that if the Council went on disposing such matters in this irresponsible way, then it would land itself in trouble.

Mr. B. Abdur Rahman observed that it was no doubt desirable in the interest of the finances of the Municipality such lands should be given after recovering the cost, that when the institution can afford to put up a costly building it can also afford to pay something for the site and that it was not a sound policy to dispose of such costly lands in this manner; but as the other institution has been given land freely and as it does not look nice to grant in one case

and refuse in the other, it was better the land is granted free this time and in future care should be taken to dispose of lands by auction.

Messrs. P. Subbaramma Chetty, K. Shamaraja Iyengar, D. Rameswara Sa, all supported the City Improvement Committee opinion and said that when the other institution is given land free, there is no meaning in refusing it in this case and that when the Municipality has given the land free to religious, political and educational organisations, why should it not give for communal organisations is a thing which could not be understood.

Then the proposition of Mr. R. Venkataswami as amended by Mr. K. Shamaraja Iyengar was put to vote and carried, 9 voting for and 8 Against.

Mr. B.L. Byanna demanded poll and Mr. R. Venkataswami seconded.

The following voted For.

Messrs. Ramalal Thiwari 2. Mirza Azeezulla Beig 3. Abdur Rahman 4. K. Shamaraja Iyengar 5. P. Subbaramma Chetty 6. D. Rameswara Sa 7. M. Krishnaswami Pillay 8. B.L. Ramaji Rao 9. O.S. Nasarulla Sheriff. 10. R. Venkataswamy 11. M. Muniswamy.

The following voted against.-

Messrs. (1) K.K. Nagamma (2) B.L. Byanna (3) M.R. Narasimha Iyengar (4) K.K. Purushothama Naidu (5) C.N. Narasinga Rao (6) J.H. Hanumanthappa (7) P.M. Ramasamma (8) Chikkayellappa.

The result of poll was 11 for and 8 Against.

SD: N. BALAKRISHNAIYA,
Honorary President.

"C o p y"

S. Nadgauda

Municipal Commissioner. 8/5/39

Kas.6/5.

PROCEEDINGS OF THE CITY IMPROVEMENT COMMITTEE MEETING

DATED 16th Novr 1938.

—

3 Opinion of the City Improvement Committee dated 21-9-1938 that a site may be given to the Maharastra Mandali in Gandhinagar extension. Opinion of the Commission that either site No. 4 or 5 may be given to the Mandali. Also applications from the President, Bangalore Congress Committee and the President, Brahmo Samaj for sites there, for buildings

—

x x x

2 The area and the alignment of sites No 4 and 5 may be distributed in such a way as to make them a lmost equal in area and after reformation may be distributed as per resolution No 3

3. Site No 4 ~~xx~~ after reformation may be granted to the Brahmo Samaj, Bangalore and Site No 5 to the Maharastra Mandali, Bangalore City, both the grants are subject to the following conditions -

a) The grant will be free of cost

b) The Association shall put up buildings, the cost of which will not be less than Rs. 20,000/-

c) The plan and layout of the buildings shall be subject to the -- approval of the Municipality and Mr Krumbiegal

d) The plots together with the buildings that may be put up thereon shall be used for the bonafide purposes of the Associations and the premises or their use will not be alienated in any manner

e) The Municipality will have the power of resumption of the plot without any claim for compensation for deviation of the purposes of the grant and for breach of conditions herein

f) The grant shall be registered

—

SD N. Balakrishnaiya,

Chairman.

—-—-—

"Copy"

Municipal Commissioner

8/5/39.

Kas 6/5

Appendix F G—1]

SUBJECT

Section ml

File No 65-38

4 Copies

Serial No 111

Diary No of letter replied to

No L9217

To The ml Commr, Poona
thro the Dy

General and Revenue Secretariat

( )

the *193*

Sir,

Date of issue 19/5/1939

With reference to your letters Nos A6 Dr 432/36-37 and A6 Dr 580 Dy 38 39 dy 9th May 1939, recommending the Grant of Sites in Ghanda Nagar to (1) the Maharashtra Mandal, Basavanduk & (2) the Brahmo Samaj respectively, I am directed to request you to forward the records of the two cases together with the applications received from the parties praying for the Grant of Sites

Signed by

List of enclosures

Copied by

Examined by

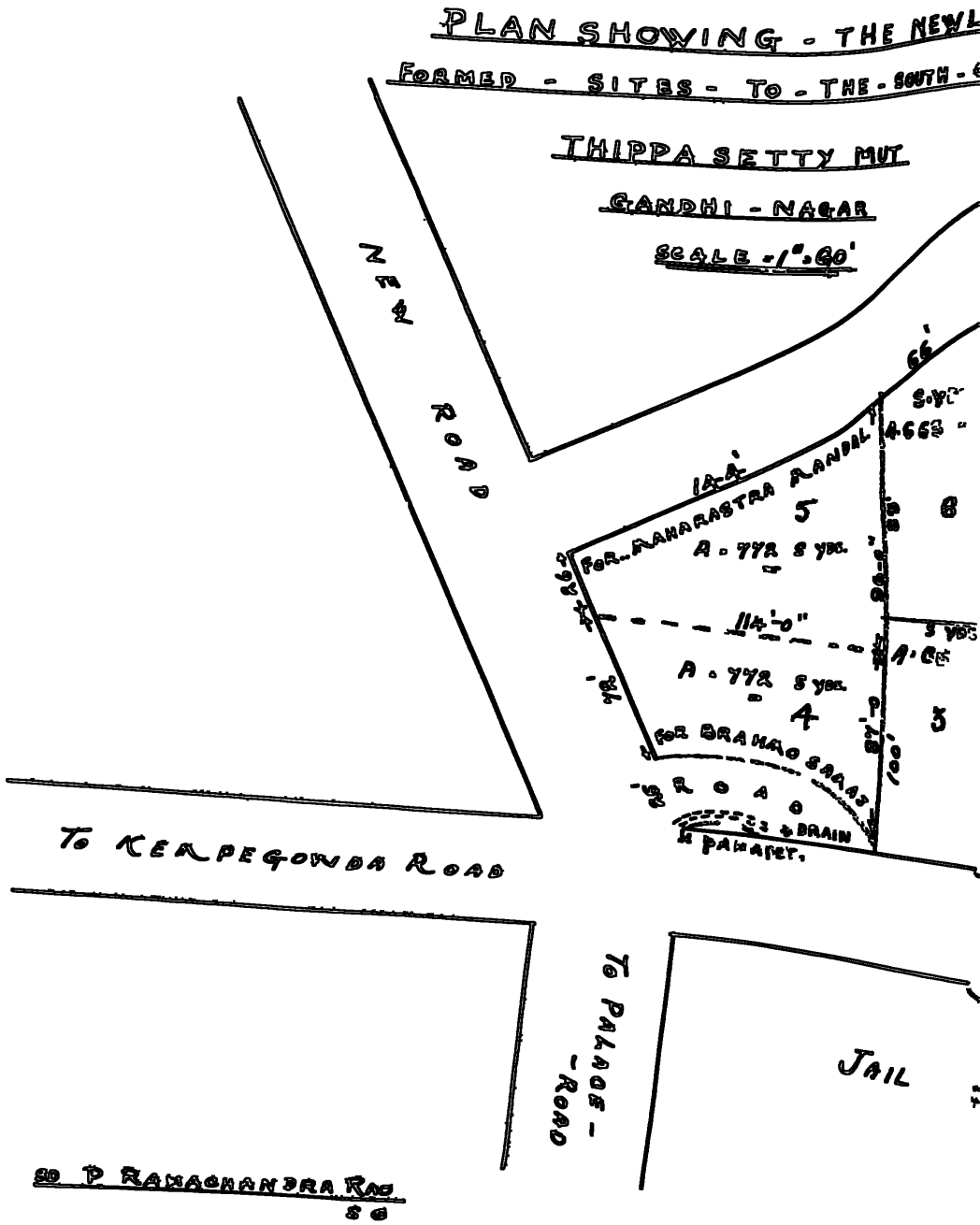
I have etc

2/7/39

for Secy to Govt

17/5 R.S. Deptt

WD 0278—GPB—30 000—4 3 38


PLAN SHOWING - THE NEWL
FORMED - SITES - TO - THE - SOUTH -
THIPPA SETTY MUT
GANDHI - NAGAR
SCALE - 1" = 60'
NEW ROAD
66'
5
FOR MAHARASTRA MANDAL
A. 772 S yds.
114'-0"
4
A. 772 S yds.
FOR BRAHMO SAMAJ
ROAD
DRAIN
PARAPET.
TO KEMPEGOWDA ROAD
TO PALACE - ROAD
JAIL
SD P RAMACHANDRA RAO
SC

Jail - PREMISES
To SESHADRI ROAD
THIPPA SETTY AUTT PREMISES
N
66'
66'
66'
8
7
6
5
4
3
2
1
A. 1TA S yes
A. 1TA S yes
S yes
S yes

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore 19th May 1939.

No. L9217/mel 65-38 III

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Local Self-Government Department

To The Municipal Commissioner,
Bangalore City,
Through the President.

Sir,

With reference to your letters Nos.A.Dr.432/36-37 dat and 6. r. 580/38-39 dated 9th May 1939, recommending the grant of sites in Ghandi Nagar (1) to the Maharashtra andali, Basavanagudi and (2) the Brahmo Samaj respectively, I am directed to request you to forward the records of the two cases together with the applications received from the parties praying for the grant of sites.

I have the honour to be,

Sir,

Your most obedient servant,

Secretary to Government,
L.S.G. Department.

65 06

BANGALORE CITY MUNICIPALITY

L Ml 65-38-127.

SECY LOCAL SELF GOVT 4 JUL 1939 GOVT OF MYSORE

MUNICIPAL OFFICES

No. A6.Dr 432/36-37 Bangalore, 1st June 1939

Index one file

3

From

S. NARAYANA RAO ESQ M A (HONS)
MUNICIPAL COMMISSIONER
Bangalore City

To P.H. Krishna Rao, Esq , M.A ,
The Secretary to the Government of
His Highness the Maharaja of Mysore,
Local Self Government Department
Bangalore

SIR,

With reference to your letter No L 9217/Ml 65-38-111 dated 19th May 1939 calling for records relating to grant of sites in Gandhi Nagar (1) to the Maharastra Mandali, Basavanagudi and (2) the Brahmo Samaj, along with the applications, I have the honour to enclose herein the connected records as per pharist for kind reference

I have the honour to be,
Sir,
Your most obedient servant,

S Narayana Rao
Municipal Commissioner

2/6

Forwarded with compliments,
(Absent from station)
Honorary President

Kas 1/6

Appendix F G—1]

SUBJECT .. ..

... .

... .

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193*

Date of issue. .... 1 Sept 1939

Signed by .... Asst. Sec. to Govt.

List of enclosures.... .. ..

Copied by .. ..

Examined by .. ..

Section ml

File No. 65 - 38

Serial No.

No. L 29

To The ml Commr, Bclg, the Dist

Sir,

with reference to the correspondence ending with your letter no H1 dt 433/39, dt 3-6-39 requesting sanction to the free grant of sites to the Maharashtra Mandali & the Brahmo Samaj in Gandhi Nagar, Bangalore city, I am directed to state that Govt see no good grounds for granting the sites free to the institutions & they have to pay reasonable prices. The records received with your letter were returned with correspondence

for Asst Secy to Govt Law Dept

WD 0278—GPB—30,000—4-3-38

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 29th June 1939

No L 29 / rul 65 38

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department

To

The Municipal Commissioner, Bangalore City
through the President, Bangalore City Municipal Council

Sir,

With reference to the correspondence ending with your letter No.6.Dr.432&36-37 dated 3rd June 1939 requesting sanction to the free grant of sites to (1) the Maharashtra Mandali and (2) the Brahmo Samaj in the Gandhinagar, Bangalore City, I am directed to state that Government see no good grounds for granting the sites free to the said institutions and that they have to pay reasonable prices.

The records received with your letter under reply are herewith returned.

I have the honour to be,
Sir,
Your most obedient servant,

For Secretary to Government,
Law Department.

mk.4

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 24th June 1939

No. L. 29 mul 65-38

From

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Municipal Commissioner, Bangalore City
through the President, Bangalore City Municipal Council

Sir,

With reference to the correspondence ending with your letter No.A6.Dr.432&36-37 dated 3rd June 1939 requesting sanction to the free grant of sites to (1) the Maharashtra Mandali and (2) the Ryakwa Samaj in the Gandhinagar, Bangalore City, I am directed to state that Government see no good grounds for granting the sites free to the said institutions and that they have to pay reasonable prices.

The records received with your letter under reply are herewith returned.

I have the honour to be,
Sir,
Your most obedient servant,

For Secretary to Government,
Law Department

mk.6

To be shifted with Vol-65-B file no 11011/11/84-27

App F IX-4

evious References 193 ( ) **File No**

Serial Nos

Letter References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for

SUBJECT

Papers relating to the free granting a site in Gandhinagar Bangalore to the Maharashtra Mandali, Basavanagudi

WD 0295—GPB—22,500—18-6 87

14/7/89

6027

General and Revenue Secretariat | File No 65 of 1938 | [App F III-2

Serial No.

From The ond Commnr, Belg,
No A6. Sr 432/36-37 Dt 9-5-39
Requests sanction to the granting free of cost site no 5 in Ganthinagar, measuring 772 sq yards to the Maharashtra Mandali, Basavanagudi, for constructing a building for the use of the Mandali

The site measuring 772 sq yds is proposed to be granted to the Mandali free of cost

It is stated that the Market Value of the land proposed to be given to the Mandali may be taken to be about Rs 8/- per sq yard.

The cost of 772 sq yds of land at Rs 8/- per sq yard comes to Rs 6176/-.

It is a point for orders if the Belg can afford to forego this amount in the present state of its finances

Submitted for orders

H/5 Hiry 1 5.3) 2/11/39

For orders Please see ord 65-28 bearing Dno 6506.

To the ond Commnr Belg the Dpty no L29 Dt 4/7/39.

It also that Govt see no reason for granting the site free & that they cannot pay reasonable price

B-

NOTE—Contn. Sheet.

6027
Le

BANGALORE CITY MUNICIPALITY

Mr.I.C.S

MUNICIPAL OFFICES

No A6.Dr. 432/36-37 Bangalore, 6th May 1939

From
S NARAYANA RAO, ESQ M A (HONS.),
MUNICIPAL COMMISSIONER
Bangalore City

To
P.H. Krishna Rao, Esq , M.A.,
Secretary to the Government of
His Highness the Maharaja of Mysore,
Local Self Government Department,
Bangalore

L.S.G.
10 May '39

SUBJECT - Grant of a site in Gandhi Nagar to Maharastra Mandali, Basavanagudi

I have the honour to state that the President, Maharastra Mandali applied for the grant of a building site to the north of the Jail Superintendent's quarters or in the neighbourhood, free of cost or at a nominal price for the purpose of constructing a building for the use of the Mandali, as it is doing social service The subject was considered by the City Improvement Committee, at their meeting held on 16th November 1938 and it was resolved to grant site No 5 in Gandhi Nagar measuring 772 square yards free of cost subject to the conditions noted in the margin, and the same has been approved by the Municipal Council at their meeting held on 7th January 1939 on condition that the construction of the building should be taken up within one year from the date of grant, failing which the land would be resumed to the Municipality without any claim for compensation

a) The grant will be free of cost
b) The association shall put up buildings, the cost of which will not be less than Rs 20,000/
c) The plan and layout of the buildings shall be subject to the approval of the Municipality and Mr Krumbiegal
d) The plot together with the building that may be put up theron shall be used for the bonafide purposes of the association and the premises at their use will not be alienated in any manner
e) The Municipality will have the power of resumption of the plot without any claim for compensation for deviation of the purpose of the grant and for breach
f) The grant shall be registered

I enclose herein copies of the resolutions of City Improvement Committee and the Municipal Council, together with a copy of the plan

P T O.

for favour of information and sanction of the Government to the above resolution. The Market value of the land may be taken to be about -- Rs. 8/- per Sq. yard.

I have the honour to be,

Sir,

Your most obedient servant,

Municipal Commissioner.

President absent)
from Station.)

Ens.6/5.

Proceedings of the Ordinary General Meeting of the City Municipal Council, Bangalore, held on Saturday the 7th January 39 at 2 P M in the Council Chamber of the City Municipal Offices, Bangalore

--o&o--

Present

N B lakrishnaiya, E[illegible], B A, LL B,
Honorary President

Messrs	Messrs
1. K Venkataswamy	13 C M Garudachar, B A,
2 [illegible] H Hanumanthappa	14 P Subbaramachetty
3 Vaidyaraj D Rameswara Sa	15 M Krishnaswamy Pillai
4 Ramalal Thiwari	16 P [illegible] Rama Sarma
5 K [illegible] Naganna	17 S K Venkatarangaiengar, B A LL B
6 I A Purushothama Naidu	18 M R Narasimha Iyengar
7 [illegible] Venkataramanappa	19 S L Mannaji Rao
8 B L Byanna	20 O S Nasarulla Sheriff, M A, LL
9 [illegible] Muniswamy	21 B Abdur Rahmon, B [illegible],
10 C N Narasinga Rao, B A, B L,	22 Mirza Azizulla Beig
11 K Shamaraja Iyengar, B A,	23 M Royan, [illegible],
12 K Gubbiah, B A, LL,B,	24 V Chickayellappa

Absent

1 M Belur Srinivasiengar, B A, LL B
2 A T. Bhashyamiengar, B.A, B L,
3 Mr S N M R avi
4 ' B S. Shankarappasetty
5. Sri R. Kalyanamma.

—

Subject No. I.

(Deferred Subject No. 24 of 7th December 1938.

—

Opinion of the City Improvement Committee dated 16th November 38 in the matter of grant of sites in Gandhi Nagar to Brahmo Samaj and - Maharastra Mandali, subject to certain conditions.

(Proceedings overleaf)

Subject No. 1-

Mr.W.H. Hanumanthappa speaking on the subject observed that there were two subjects in one and that the question of grant of land to Brahmo Samaj may be taken up separately from the question of grant of land to Maharastra Mandali The President replied that the subjects are taken up together as the areas of sites Nos. 4 and 5 have to be readjusted as implied in the C.I.C. resolution, and if the areas are agreed upon there is no other impediment for separate - consideration.

Mr. W.H. Hanumanthappa proposed that the site proposed to be given to the Brahmo Samaj may be given to the Samaj subject to the conditions attached thereto by the City Improvement Committee

Mr. M. Krishnaswami Pillay seconded the above.

Mr. K. Shamaraja Iyengar supporting it said that in many cases of grant of land, the land would be left vacant for a number of years without any building being built upon it and so proposed an amendment that the condition 'that the construction of the -- building should be taken up within one year from the date of grant, failing which the land would be resumed to the Municipality' should be inserted along with other conditions of the City Improvement - Committee and this was seconded by Mr. Mirza Azeezulla Beig and - accepted by Mr. W.H Hanumanthappa

At this stage, Mr. I.K. Purushothama Naidu raised a point of order that 'as the Council did not delegate to C.I.C, this duty, the opinion given by them cannot be considered in accordance with Sec 31 of the Municipal Regulation While moving his point of order, Mr. I K Purushothama Naidu observed that the City Improvement Committee is one of the Committees constituted under Sec 31 of the Municipal Regulation and this Committee has certain powers delegated to it, and this delegation of powers is of two kinds, General and Special General delegation of powers means powers given to the Committee on the basis of bye-laws framed for the -- constitution of the Committee and Special delegation is delegation that is sanctioned by the Council as and when necessity arises

Now the subject on hand is the grant of land free to an institution and this power is not one of the powers delegated under any bye-laws to this Committee and hence, it is not general, and to be special, it has to be sanctioned by Council, which has not been done till now. In these circumstances, the President's action in referring the question to the City Improvement Committee without bringing it before the Council is uncalled for and so the opinion of the City Improvement Committee cannot be considered.

Mr. C.N. Narasinga Rao observed that what the President had done was only to refer this subject to the City Improvement Committee, so that its opinion may be placed before the Council for disposal and as such this was no delegation as delation always means that a matter is referred to final disposal.

The President gave the following ruling.

"A similar point was raised by Mr. I.K. Purushothama Naidu in -- connection with Subject No. 24 on the agenda for the last month and the President has made a statement that the City Improvement Committee can - give its opinion on such matters under the functions delegated by the Council. The subject was referred to the City Improvement Committee for opinion to aid the disposal by the Council. It is no delegation for the final disposal of the subject without reference to the Council, as Mr. I.K. Purushothama Naidu suggests. The point of order is ruled out."

Then the proposition of Mr. W.H. Hanumanthappa as amended by Mr. K. Shamaraja Iyengar was put to vote and carried, 11 voting For and 1 Against.

Mr. R. Venkateswami then moved that the remaining portion of land of sites Nos. 4 and 5, may be given to the Maharastra Mandali subject to the conditions laid down by the City Improvement Committee and Mr. M. - Krishnaswami Pillay seconded it.

Mr. K. Shamaraja Iyengar moved that the condition that the -- building should be commenced within one year from the date of grant, failing which the land will be resumed may be added on to the conditions, and this was accepted by Mr. R. Venkateswami.

Mr. K.M. Nagenna opposed the subject stating that the principle of granting free sites to communal organisations would result in loss to the Municipality and consequent taxation on the rate-payers unnecessarily,

owing to lack of funds.

Mr. C.N. Narasinga Rao said that if the principle of free grant from all communities which will render the position of the Municipality very precarious.

Mr. K. Shamaraja Iyengar stated that the principle of not granting sites to communal organisations may not be made general and each application should be considered on its own merits.

Mr. I.K. Purushothama Naidu said that the Municipality has been very generous of late, they have to become more businesslike, -- especially in view of the fact that the finances are in a deplorable condition. If the principle of granting sites to communal organisations is laid down it will be awefully difficult to wipe it away and if sites are to be granted to all the communal organisations, the present area of municipal limits which is said to be 17 Sq. miles will have to be extended to 70 Sq. miles, if the request of Maharastra Mandali is to be granted, the Catholic Association, the Mohammedan Association and other associations will put in their requests.

Messrs. P.M. Rama Sarma, B.L. Byanna, M.R. Narasimha Iyengar all opposed the free grant to the Mandali on the ground that if land is given free to such institutions, then other communal institutions will ask for lands which the Municipality cannot give, that the land now proposed to be given free is very costly, costing nearly Rs 7 to 8 thousands rupees, that the Maharastra community consisted of very rich persons who could afford to pay and take the land and that it is better if some upset price is fixed for the land They also observed that if the Council went on disposing such matters in this irresponsible way, then it would land itself in trouble.

Mr. B. Abdur Rahmon observed that it was no doubt desirable in the interest of the finances of the Municipality such lands should be given after recovering the cost, that when the institution can afford to put up a costly building it can also afford to pay something for the site and that it was not a sound policy to dispose of such costly lands in this manner, but as the other institution has been given land freely and as it does not look nice to grant in one case

and refuse in the other, it was better the land is granted free this time and in future care should be taken to dispose of lands by auction.

Messrs. P. Subbarama Chetty, K. Shamaraja Iyengar, D. Rameswara Sa, all supported the City Improvement Committee opinion and said that when the other institution is given land free, there is no meaning in refusing it in this case and that when the Municipality has given the land free to religious, political and educational organisations, why should it not give for communal organisations is a thing which could not be understood.

Then the proposition of Mr. R. Venkataswami as amended by Mr. K. Shamaraja Iyengar was put to vote and carried, 9 voting For and 8 Against.

Mr. B.L. Byanna demanded poll and Mr. R. Venkataswami seconded.

The following voted For.

Messrs. Ramalal Thiwari 2. Mirza Azeezulla Beig 3. Abdur Rahmon 4. K. Shamaraja Iyengar 5. P. Subbarama Chetty 6. D. Rameswara Sa 7. M. Krishnaswami Pillay 8. S.L. Manmaji Rao 9. O.S. Nasarulla Sheriff. 10. R. Venkataswamy 11. M. Muniswamy.

The following voted against.-

Messrs. (1) K.M. Naganna (2) B.L. Byanna (3) M.R. Narasimha Iyengar (4) I.K. Purushothama Naidu (5) C.N. Narasinga Rao (6) H. Hanumanthappa (7) P.M. Ramasarma (8) Chikkayellappa.

The result of poll was 11 for and 8 against.

SD. N. BALAKRISHNAIYA,
Honorary President.

"C o p y"

Municipal Commissioner.

Kas.6/5.

PROCEEDINGS OF THE CITY IMPROVEMENT COMMITTEE MEETING

DATED 16th Novr: 1938.

—

3. Opinion of the City Improvement Committee dated 21-9-1938 that a site may be given to the Maharastra Mandali in Gandhinagar extension. Opinion of the Commissioner that either site No. 4 or 5 may be given to the Mandali. Also applications from the President, Bangalore Congress Committee and the President, Brahmo Samaj for sites there, for buildings.

—

x x x

2. The area and the alignment of sites No. 4 and 5 may be distributed in such a way as to make them almost equal in area and after reformation may be distributed as per resolution No. 3

3. Site No. 4 ~~xx~~ after reformation may be granted to the Brahmo Samaj, Bangalore and Site No. 5 to the Maharastra Mandali, Bangalore City, both the grants are subject to the following conditions.-

a) The grant will be free of cost.

b) The Association shall put up buildings, the cost of which will not be less than Rs. 20,000/-

c) The plan and layout of the buildings shall be subject to the approval of the Municipality and Mr. Krumbiegal.

d) The plots together with the buildings that may be put up thereon shall be used for the bonafide purposes of the Associations and the premises for their use will not be alienated in any manner.

e) The Municipality will have the power of resumption of the plot without any claim for compensation for deviation of the purposes of the grant and for breach of conditions herein.

f) The grant shall be registered.

—

SD N. Balakrishnaiya,

Chairman.

"Copy"

S. Varadarajan

Municipal Commissioner.

8/5/39

Kas.6/5.

PLAN SHOWING - THE NEWLY
FORMED - SITES - TO - THE - SOUTH - OF
THIPPA SETTY PAT
GANDHI - NAGAR.
SCALE - 1" = 60'
NEW ROAD
65'
14A'
FOR: RAMARAJAN ROAD
5
A 7½ sqs
114'-0"
A - 7½ sqs
4
FOR BRAHMA SWAMY
ROAD
TO KEMPEGOWDA ROAD
TO PALACE - ROAD
JAIL
SD. P RAMACHANDRA RAO
SE

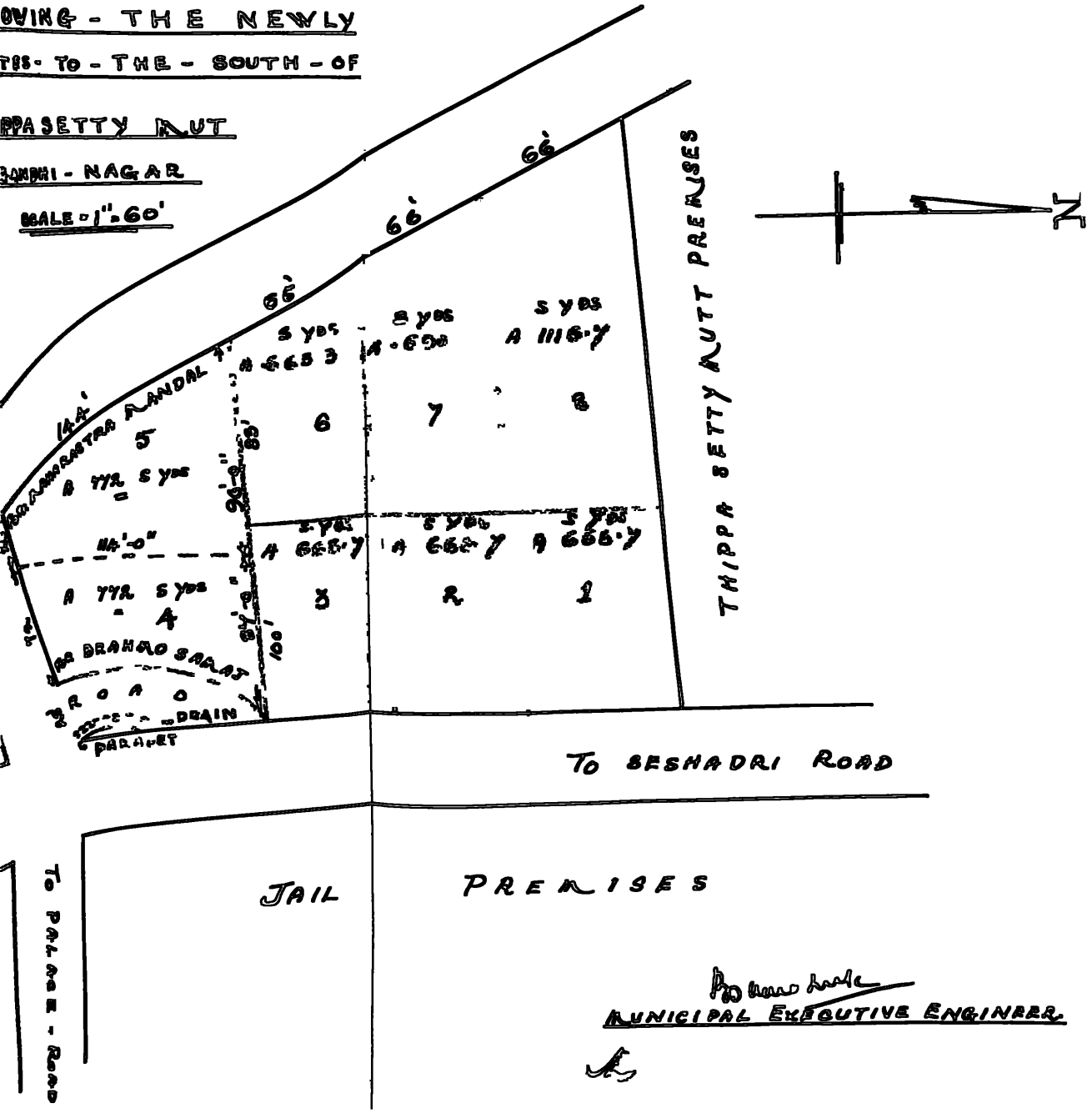
OVING - THE NEWLY

TES - TO - THE - SOUTH - OF

PPA SETTY AUT

UMPHI - NAGAR

SCALE = 1" = 60'



MUNICIPAL EXECUTIVE ENGINEER

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, 28th July 1939

No. L.29
From Rev 65 38

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Municipal Commissioner, Bangalore City
through the President, Bangalore City Municipal Council

Sir,

With reference to the correspondence ending with your letter No.M.Dy.432/36-37 dated 3rd June 1939 requesting sanction to the free grant of sites to (1) the Vishwashtra Mandali and (2) the Brahmo Samaj in the Gandhinagar, Bangalore City, I am directed to state that Government see no good grounds for granting the sites free to the said institutions and that they have to pay reasonable prices.

The records received with your letter under reply are herewith returned.

I have the honour to be,
Sir,
Your most obedient servant,

for Secretary to Government,
Law Department.

mk.4